

**NOTICE OF PUBLIC HEARING  
BEFORE THE BOARD OF ADJUSTMENT**

(Relative to an application for permit made direct to the Board of Adjustment.)  
(CONDITIONAL USE PERMIT)

Notice is hereby given that the Board of Adjustment of the City of Columbia, Missouri, will hold a public hearing at a meeting of said Board in the City Council Chamber on the First Floor of City Hall, 701 E. Broadway, in Columbia, Missouri, at **7:00 p.m. on Tuesday, the 10th day of July, 2012**, to give all interested persons an opportunity to appear and be heard in relation to the following appeal:

**Request of Dale Linneman, attorney for Campus Lutheran Church (owner/lessor) and St. Charles Tower, Inc. (lessee), for a conditional use permit to construct a 35 foot tall steeple and a 6 foot tall cross, which will extend the bell tower of the church to a maximum height not to exceed 108.5 feet and will house a stealth communications tower and antennas, and the related communications equipment shelter as required by Section 29-23 and 29-21.3 of the Code of Ordinances of the City of Columbia, County of Boone, State of Missouri, and further described as being:**

**Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7) of J. H. Guitar's Amended Plat of J. H. Guitar's Subdivision in the City of Columbia, Boone County, Missouri as shown by the plat thereof recorded in Plat Book 2, Page 39, in the Recorder of Deed's records for Boone County, Missouri, excepting therefrom that part, if any, conveyed to the State of Missouri acting by and through the State Highway Commission of Missouri, by instrument dated June 27, 1968 and recorded in Book 374, Page 905 in the Recorder of Deed's records for Boone County, Missouri**

known as, or located at **304 S. College Avenue.**

BOARD OF ADJUSTMENT  
City of Columbia, Missouri

**By David Townsend, Chair**

**INSERTION: One (1) with map, Sunday, June 24, 2012**

001840

RECEIVED JUN 12 2012  
@ 11:54 amNOTICE OF APPLICATION TO THE BOARD OF ADJUSTMENT  
(FOR CONDITIONAL USE PERMIT)

**TO:** **BOARD OF ADJUSTMENT**  
Office of the City Clerk  
City Hall, 701 E. Broadway, Columbia, Missouri

**SUBJECT:** Notice of application in regard to the following described property located in the City of Columbia, County of Boone, State of Missouri (legal description):

**CAMPUS LUTHERAN CHURCH:** Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7) of J. H. Guitart's Amended Plat of J. H. Guitart's Subdivision in the City of Columbia, Boone County, Missouri as shown by the plat thereof recorded in Plat Book 2, Page 39, in the Recorder of Deed's records for Boone County, Missouri, excepting therefrom that part, if any, conveyed to the State of Missouri acting by and through the State Highway Commission of Missouri, by instrument dated June 27, 1968 and recorded in Book 374, Page 905 in the Recorder of Deed's records for Boone County, Missouri.

which is presently zoned R-3 and known, or to be known, as CAMPUS LUTHERAN CHURCH,  
304 S. COLLEGE AVE. (Street Number and Name)

County Assessor's 14 Digit Real Estate Tax Number: 17-405-00-10-001-00-01

Notice is hereby given that Applicant(s) hereby applies to the Board of Adjustment of the City of Columbia, Missouri for a Conditional Use Permit to make the following use of the above described property:

PLUS A 6' TALL CROSS,

CONSTRUCTION OF AN APPROX. 35' TALL STEEPLE, ON TOP OF EXISTING BELL TOWER, INTO WHICH WILL BE INSTALLED STEALTHED CELLULAR COMMUNICATION ANTENNAS. STEEPLE WILL BE ADEQUATELY SIZED FOR THE INSTALLATION OF AT LEAST TWO SETS OF ANTENNAS FOR AT LEAST TWO DIFFERENT CELLULAR CARRIERS.

Authority to grant said permit is given to the Board of Adjustment by Section 29-23, Code of Ordinances of the City of Columbia, Missouri. Applicant(s) hereby acknowledges reading Section 29-23, and fully understands the provisions thereof.

Applicant(s) requests that a Certificate of Decision granting a Conditional Use Permit be issued by the Board.

Attached hereto and made a part hereof is a sheet entitled "Parties in Interest", which lists the names and addresses of all other parties in interest, to the best knowledge and belief of Applicant(s).

Dale Linneman

6-11-12  
DATE

SIGNATURE(S)

ADDRESS

TELEPHONE

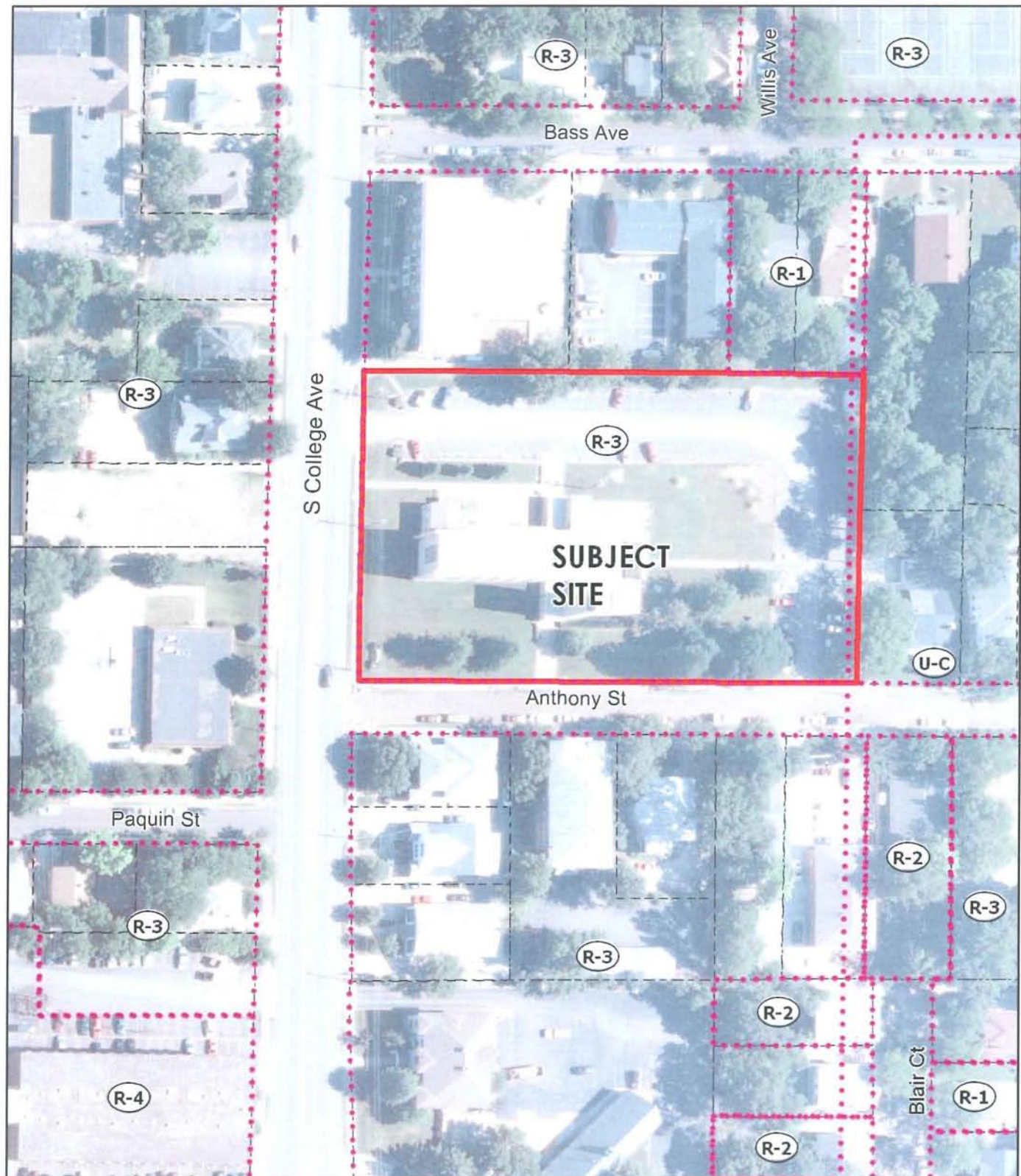
Dale Linneman  
804 LINDSEY ST.  
COLUMBIA, MO 65201  
(513) 449-5950

**CAPACITY OR INTEREST IN PROPERTY** Represents Campus Lutheran Church & St. Charles Tower

I hereby acknowledge receipt of a signed copy of the above Notice of Application, and I also acknowledge receipt of the deposit required to be made with said Notice of Application.

CITY CLERK  
DATE

Sherry Shettlesworth for Sheela Amin  
6-12-12



## Campus Lutheran Church Case 1840 - Board of Adjustment



Aerial Image 2007

0 37.5 75 150  
Feet

1 inch represents 100 feet



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## PROPERTY AND OWNERSHIP INFORMATION

Current Owner	CAMPUS LUTHERAN CHURCH	Order #	31625
Property Address	304 S COLLEGE AVE	Completed Date	03/28/12
City/State	COLUMBIA, MO	Effective Date	03/17/12
APN/Parcel/PIN	17-405-00-10-001-00-01	County	BOONE

## DEED/VESTING INFORMATION

Grantee(s)	CAMPUS LUTHERAN CHURCH	Deed Date	03/11/04
Grantor/Prior Owner	THE MISSOURI DISTRICT OF THE**	Recorded Date	03/17/04
Consideration	\$10.00 & OTHER VALUABLE	Instrument   Book/Page	2458-161
Sale Price	-	Deed Type	SPECIAL WARRANTY

Notes: \*\*LUTHERAN CHURCH - MISSOURI SYNOD, F/K/A THE WESTERN DISTRICT OF THE LUTHERAN CHURCH...

## TAX INFORMATION

Year	Property Tax Status	Due Date	Amount
Notes:	**EXEMPT**	Land Value	-
		Building/Improvements	-
		TOTAL ASSESSED VALUE	-

## OPEN MORTGAGE/DEED OF TRUST INFORMATION

Mortgagor	NONE FOUND FOR CURRENT OWNER	Date Signed	
Mortgagee	OF SUBJECT PROPERTY	Date Recorded	
Trustee		Instrument   Book/Page	
Mortgage Type		Original Amount	
Related Document		Book/Page   Recorded	
Related Document		Book/Page   Recorded	

## RELATED JUDGMENTS, UCC AND LIENS AGAINST OWNER

Instrument #	Description	Date Recorded	Amount
	NONE FOUND FOR CURRENT OWNER		
	OF SUBJECT PROPERTY		

## EASEMENTS AND RESTRICTIONS FOR CURRENT OWNER AGAINST PROPERTY

Instrument #	Description	Date Recorded
623-660	EASEMENT	

Matters affecting the above real estate which do not directly appear among the land records, or are not indexed to the exact listed names and legal descriptions above are not included in this report. This is not a commitment for insurance nor is it an opinion on marketability of title. Subject to terms and conditions at TitleSearch.com

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## ADDITIONAL DEED INFORMATION

Grantee(s)	THE MISSOURI DISTRICT OF THE **	Deed Date	03/11/04
Grantor/Prior Owner	TRINITY LUTHERAN CHURCH OF COLUMBIA, MISSOURI, INC...	Recorded Date	03/17/04
Consideration	\$1.00 & OTHER VALUABLE	Instrument   Book/Page	2458-161
Sale Price	-	Deed Type	QUIT CLAIM
Notes: **LUTHERAN CHURCH - MISSOURI SYNOD			

## ADDITIONAL COMMENTS/INFORMATION

PLAT 2-37

PLAT 2-39

TRINITY LUTHERAN CHURCH SEARCHED TO 1960

Matters affecting the above real estate which do not directly appear among the land records, or are not indexed to the exact listed names and legal descriptions above are not included in this report. This is not a commitment for insurance nor is it an opinion on marketability of title. Subject to terms and conditions at TitleSearch.com

# Boone County, Missouri

## Unofficial Document



Recorded in Boone County, Missouri

Date and Time 03/17/2004 at 11:11:30 AM

Instrument # 2004006731 Book 02458 Page 0161

Grantor MISSOURI DISTRICT OF THE LUTHERAN C...

Grantee CAMPUS LUTHERAN CHURCH

Instrument Type WD

Recording Fee \$27.00

No of Pages 2

*Battle Johnson*  
Battle Johnson, Recorder of Deeds



## Special Warranty Deed

(By A Corporation)

THIS DEED, is made and entered into as of the 11<sup>th</sup> day of MARCH, 2004, by and between THE MISSOURI DISTRICT OF THE LUTHERAN CHURCH - MISSOURI SYNOD, formerly known as: THE WESTERN DISTRICT OF THE LUTHERAN CHURCH - MISSOURI SYNOD and THE WESTERN DISTRICT OF THE EVANGELICAL LUTHERAN SYNOD OF MISSOURI, OHIO AND OTHER STATES, a Nonprofit Corporation, organized and existing under the laws of the State of Missouri with its principal office in the County of St. Louis, State of Missouri, party of the first part, Grantor; and CAMPUS LUTHERAN CHURCH, a Nonprofit Corporation, organized and existing under the laws of the State of Missouri with its principal office in the County of Boone, State of Missouri (Grantee's Mailing Address: 304 South College Avenue, Columbia, Missouri 65201), party of the second part, Grantee.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid by the said party of the second part, the receipt of which is hereby acknowledged, does by these presents GRANT, BARGAIN and SELL, CONVEY and CONFIRM unto the said party of the second part, the following described Real Estate, situated in the County of Boone and State of Missouri, to-wit:

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7) of J. H. Guitar's Amended Plat of J. H. Guitar's Subdivision in the City of Columbia, Boone County, Missouri as shown by the plat thereof recorded in Plat Book 2, Page 39, in the Recorder of Deed's records for Boone County, Missouri, excepting therefrom that part, if any, conveyed to the State of Missouri acting by and through the State Highway Commission of Missouri, by instrument dated June 27, 1968 and recorded in Book 374, Page 905 in the Recorder of Deed's records for Boone County, Missouri.

Subject to easements, covenants and restrictions of record.

<http://www.ShowMeBoone.com>

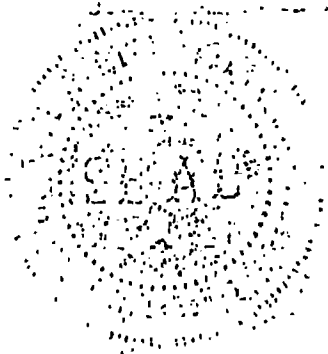
## Boone County, Missouri

Unofficial Document BOONE COUNTY MO MAR 17 2004

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said party of the second part, and to said party's successors and assigns forever.

The said party of the first part hereby covenanting that it and its successors and assigns, shall and will WARRANT and DEFEND the title to the premises unto the said party of the second part and to said party of the second part's successors and assigns forever against the lawful claims by, through or arising under the party of the first part during its tenure but none other, excepting, however, any general real estate or ad valorem taxes for the calendar year 2004 and thereafter, and any special taxes or assessments becoming a lien after the date of this deed.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its President and its corporate seal, if any, to hereunto affixed.



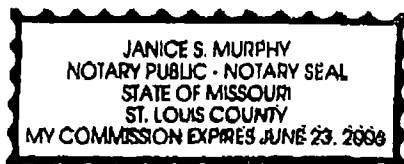
THE MISSOURI DISTRICT OF THE  
LUTHERAN CHURCH - MISSOURI  
SYNOD

By: James W. Kalthoff  
Rev. James W. Kalthoff, President

STATE OF MISSOURI )  
 ) SS  
COUNTY OF ST. LOUIS )

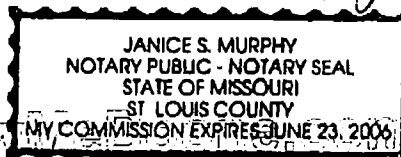
On this 11th day of March, 2004, before me appeared JAMES W. KALTHOFF, to me personally known, who, being by me duly sworn, did say that he is the President of THE MISSOURI DISTRICT OF THE LUTHERAN CHURCH - MISSOURI SYNOD, a corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its Board of Directors; and said he acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the date and year first above written.



Janice S. Murphy  
Notary Public  
Janice S. Murphy

2



<http://www.Show>



# Boone County, Missouri

## Unofficial

Recorded in Boone County, Missouri

Date and Time: 03/17/2004 at 11:11:30 AM

Instrument #: 2004006730 Book 02458 Page 0160

Grantor: TRINITY LUTHERAN CHURCH OF COLUMBIA...

Grantee: MISSOURI DISTRICT OF THE LUTHERAN C...

Instrument Type: QTCL

Recording Fee: \$27.00

No. of Pages: 2

Bettie Johnson, Recorder of Deeds



## Quit Claim Deed

THIS DEED, is made and entered into this 4<sup>th</sup> day of February, 2004, by and between TRINITY LUTHERAN CHURCH OF COLUMBIA, MISSOURI, INC., a Nonprofit Corporation, formerly known as TRUSTEES OF THE TRINITY LUTHERAN CHURCH OF COLUMBIA MISSOURI, organized and existing under the laws of the State of Missouri, with its principal office in the County of Boone, State of Missouri, party of the first part, Grantor; and THE MISSOURI DISTRICT OF THE LUTHERAN CHURCH - MISSOURI SYNOD, a Nonprofit Corporation, organized and existing under the laws of the State of Missouri with its principal office in the County of St. Louis, State of Missouri (Grantee's Mailing Address: 660 Mason Ridge Center Drive, Suite 100, St. Louis, Missouri 63141), party of the second part, Grantee.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Dollar and other valuable consideration paid by the said party of the second part, the receipt of which is hereby acknowledged, does by these presents REMISE, RELEASE AND FOREVER QUIT CLAIM unto the said party of the second part, whatever right, title and interest whatsoever the said party of the first part may possess in the following Real Estate, situated in the County of Boone and State of Missouri, to-wit:

Lot One (1) of J.H. Guitar's Amended Plat of J. H. Guitar's Subdivision in the City of Columbia, Boone County, Missouri as shown by the plat thereof recorded in 'Plat' Book 2, Page 39, in the Recorder of Deed's records for Boone County, Missouri, excepting therefrom that part, if any, conveyed to the State of Missouri acting by and through the State Highway Commission of Missouri, by instrument dated June 27, 1968 and recorded in Book 374, Page 905 in the Recorder of Deed's records for Boone County, Missouri.

Subject to easements, covenants and restrictions of record.

<http://www.ShowMeBoone.com>



Boone County, Missouri BOONE COUNTY MO MAR 17 2004  
Unofficial Document

TO HAVE AND TO HOLD the same, together with all rights and appurtenances to the same belonging, unto the said party of the second part, and to the heirs and assigns of such party forever So that neither the said party of the first part, nor their heirs, nor any other person or persons for them or in their names or behalf, shall or will hereafter claim or demand any right or title to the aforesaid premises, or any part thereof, but they and every one of them shall, by these presents, be excluded and forever barred.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its President and its corporate seal, if any, to hereunto affixed.

No  
SEAL

TRINITY LUTHERAN CHURCH OF  
COLUMBIA, MISSOURI, INC.

By: Mike Walz  
MIKE WALZ - President

ATTEST: Larry McCoig  
LARRY McCOIG - Secretary

STATE OF MISSOURI )  
 ) SS  
COUNTY OF BOONE )

On this 4<sup>th</sup> day of February, 2004, before me appeared MIKE WALZ, to me personally known, who, being by me duly sworn, did say that he is the President of TRINITY LUTHERAN CHURCH OF COLUMBIA, MISSOURI, INC., a Nonprofit Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its Board of Directors; and said he acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the date and year first above written.

CHRISTOPHER L. KESPOHL  
Notary Public - Notary Seal  
State of Missouri  
County of Boone  
My Commission Expires August 26, 2007

Christopher L. Kespohl  
Notary Public  
Christopher L. Kespohl

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001840

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**304 S COLLEGE AVE, COLUMBIA, MO 65201-5024****Owner Information:**

Owner Name: **CAMPUS LUTHERAN CHURCH**  
Mailing Address: **304 S COLLEGE AVE, COLUMBIA MO 65201-5024 C013**  
Phone Number: Vesting Codes: **// CO**

**Location Information:**

Legal Description: **J H GUITAR S/D LTS 1 THRU 7**  
County: **BOONE, MO** APN: **17-405-00-10-001-00-01**  
Census Tract / Block: **3.00 / 1** Alternate APN:  
Township-Range-Sect: **48-12-18** Subdivision: **J H GUITAR**  
Legal Book/Page: **2-39** Map Reference: **/**  
Legal Lot: **1** Tract #: **/**  
Legal Block: School District: **C1**  
Market Area: Munic/Township:  
Neighbor Code:

**Owner Transfer Information:**

Recording/Sale Date: **/** Deed Type:  
Sale Price: 1st Mtg Document #:  
Document #:

**Last Market Sale Information:**

Recording/Sale Date: **/** 1st Mtg Amount/Type: **/**  
Sale Price: 1st Mtg Int. Rate/Type: **/**  
Sale Type: 1st Mtg Document #: **/**  
Document #: **2458-161** 2nd Mtg Amount/Type: **/**  
Deed Type: **DEED (REG)** 2nd Mtg Int. Rate/Type: **/**  
Transfer Document #: Price Per SqFt:  
New Construction: Multi/Split Sale:  
Title Company:

Lender:

Seller Name: **OWNER RECORD****Prior Sale Information:**

Prior Rec/Sale Date: **/** Prior Lender:  
Prior Sale Price: Prior 1st Mtg Amt/Type: **/**  
Prior Doc Number: **2458-160** Prior 1st Mtg Rate/Type: **/**  
Prior Deed Type: **DEED (REG)**

**Property Characteristics:**

Year Built / Eff: <b>/</b>	Total Rooms/Offices:	Garage Area:
Gross Area:	Total Restrooms:	Garage Capacity:
Building Area:	Roof Type:	Parking Spaces:
Tot Adj Area:	Roof Material:	Heat Type:
Above Grade:	Construction:	Air Cond:
# of Stories:	Foundation:	Pool:
Other Improvements:	Exterior wall:	Quality:
	Basement Area:	Condition:

**Site Information:**

Zoning: <b>R3</b>	Acres: <b>1.90</b>	County Use: <b>620</b>
Lot Area: <b>82,764</b>	Lot Width/Depth: <b>x</b>	State Use:
Land Use: <b>RELIGIOUS</b>	Commercial Units:	Water Type:
Site Influence:	Sewer Type:	Building Class:

**Tax Information:**

Total Value:	Assessed Year:	Property Tax:
Land Value:	Improved %:	Tax Area:

Improvement Value:  
Total Taxable Value:

Tax Year:

Tax Exemption:

## Comparable Sales Report

For Property Located At

**304 S COLLEGE AVE, COLUMBIA, MO 65201-5024**

**1 Comparable(s) Selected.**

Report Date: 03/28/2012

### Summary Statistics:

	Subject	Low	High	Average
Sale Price	\$0	\$250,000	\$250,000	\$250,000
Bldg/Living Area	0	0	0	0
Price/Sqft	\$0.00	\$0.00	\$0.00	\$0.00
Year Built	0	0	0	0
Lot Area	82,764	27,932	27,932	27,932
Bedrooms	0	0	0	0
Bathrooms/Restrooms	0	0	0	0
Stories	0.00	0.00	0.00	0.00
Total Value	\$0	\$18,300	\$18,300	\$18,300
Distance From Subject	0.00	1.67	1.67	1.67

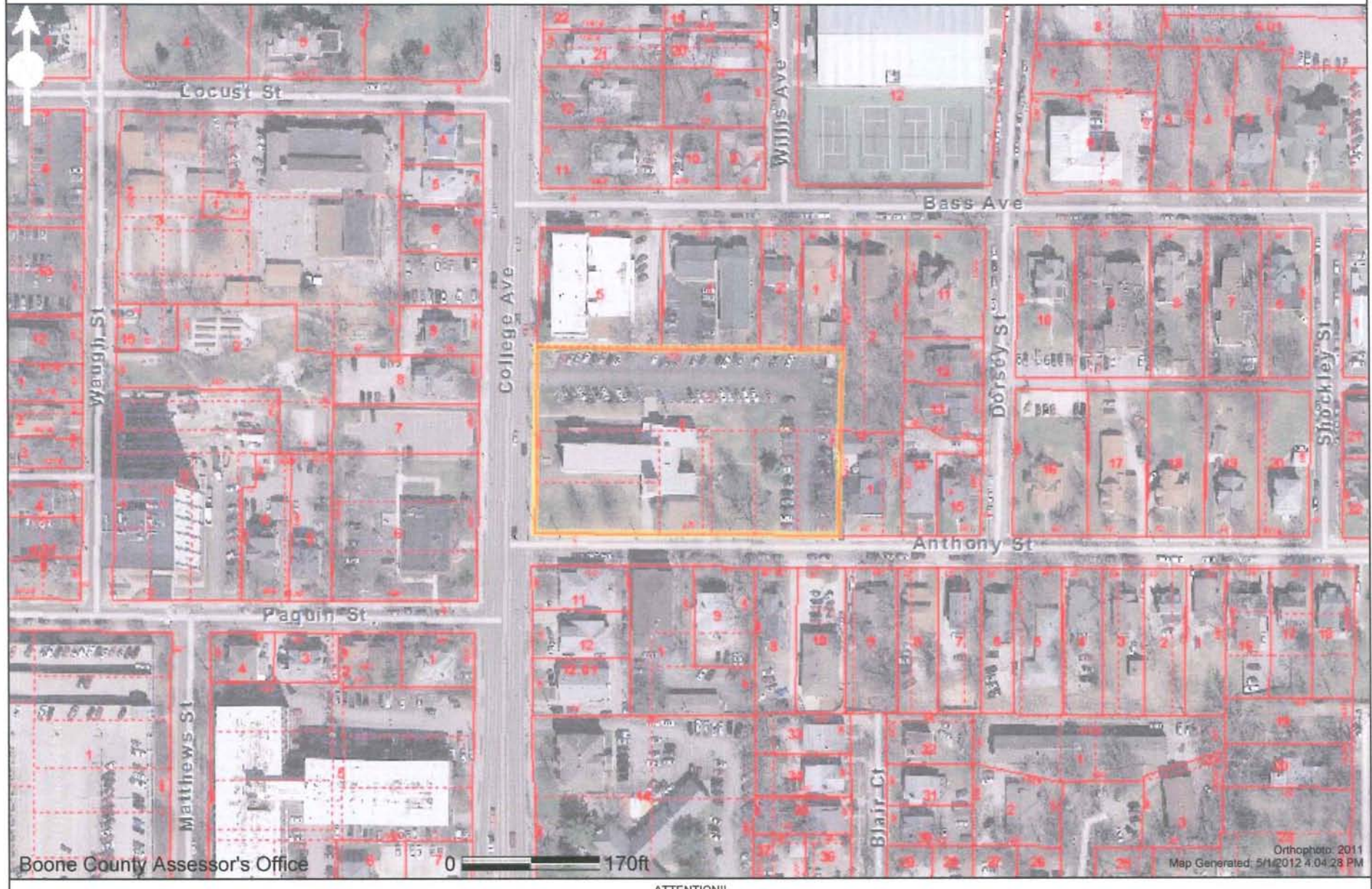
\*= user supplied for search only

Comp #:	1	Distance From Subject: 1.67 (miles)	
Address:	1510 AUDUBON DR, COLUMBIA, MO 65201-6277		
Owner Name:	ST LUKE OF EVANGELIST GREEK ORTHO		
Seller Name:	TOMPKINS HOMES & DEV INC		
APN:	17-415-00-03-019-00-01	Map Reference:	/
County:	BOONE, MO	Census Tract:	10.01
Subdivision:	VICTORIA GARDENS	Zoning:	R1
Rec Date:	01/24/2012	Prior Rec Date:	09/02/2005
Sale Date:	01/20/2012	Prior Sale Date:	09/01/2005
Sale Price:	\$250,000	Prior Sale Price:	\$611,800
Sale Type:	ESTIMATED	Prior Sale Type:	ESTIMATED
Document #:	3907-55	Acres:	0.64
1st Mtg Amt:	\$200,000	Lot Area:	27,932
Total Value:	\$18,300	# of Stories:	
Land Use:	RELIGIOUS	Park Area/Cap#:	/
		Building Area:	
		Total Rooms/Offices:	
		Total Restrooms:	
		Yr Built/Eff:	/
		Air Cond:	
		Pool:	
		Roof Mat:	

A digitized image of a plat map is not available to the subject property. Please contact your sales representative for pricing if a separate manual retrieval of the parcel map is needed.

# Boone County Internet Parcel Map

Prepared by the Boone County Assessor's Office, (573) 886-4262





March 14, 2012

Mr. Patrick Zenner  
Development Services Manager  
City of Columbia, Missouri

RE: Request for a Conditional Use Permit for a Rooftop Wireless Telecommunication Facility at  
Campus Lutheran Church, 304 S. College Ave.

Dear Mr. Zenner:

Over the last 6 months we have diligently tried to find an acceptable location to develop a **multi-user, collocational**, wireless telecommunication facility in the City of Columbia at or very near the intersection of Dorsey Street and Anthony Avenue, which represents the center of our search ring. Three candidates were found to be, at least at first, willing and able to consider our proposal. They are as follows:

***Stephens College-***

After several months of meetings, on site engineering evaluations, and numerous photo simulations, the Vice President of Finance and Administration has determined that the College is not interested in our concept(s). We not only looked carefully at the existing rooftop tower located on their Library roof, but also looked at building a stealth structure on their campus. The existing rooftop tower is seriously loaded to capacity, and any stealth structure has not been found to be acceptable to the College.

***Paquin Tower-***

We have had several on-site meetings to examine, design, and propose a rooftop facility on this building. Although there appears to be a rooftop space adequate for our needs, the Columbia Housing Authority Rooftop Lease/License stipulates an initial monthly rental that is too expensive for our use, does not allow us to add another user in our licensed space, and additionally specifies that after the initial five year term, subsequent renewal terms are subject to non-renewal by the Licensor (Columbia Housing Authority) with advance notice. These three major features of their License Agreement make the utilization of this rooftop space financially unfeasible and impossible.

***Campus Lutheran Church-***

This Church is truly excited about our proposal. The installation of antennas on the roof of their bell tower portion of the building hidden (stealthed) by the construction of an architecturally pleasing and adequately sized steeple, has been met with enthusiasm. They want us to move forward.

Mr. Zenner, in summary, we have only been able to continue to pursue our third candidate. No other potential candidates are available.

Sincerely,  
Robert Bardone  
New Site Development  
St. Charles Tower, Inc.

4 West Drive, Suite 110  
Chesterfield, MO 63017  
314-581-0100







Mr. Patrick Zenner  
Development Services Manager  
701 East Broadway  
Columbia, MO 65205

RE: Campus Lutheran Church  
Columbia, MO

June 13, 2012

Dear Mr. Zenner,

Shive-Hattery has been contracted to provide necessary professional engineering and surveying services for St. Charles Tower. The Scope of Services include, but are not limited to, design and construction documents for cellular equipment to be installed at the Campus Lutheran Church 304 South College Ave. Columbia, MO 65201. The work also includes a proposed "stealth" steeple and cross addition to the existing brick masonry bell tower. The "stealth" unit will serve to hide the proposed cellular antennas.

It is our understanding that buildings are not subject to fall zone restrictions. We furthermore take this to include the existing bell tower. This bell tower has been found to be a conforming structure based on our survey. Please refer to sheet Z-1 for additional information.

It is our opinion that the entire structure, a combination of the height of the bell tower plus the height of the steeple and cross should not be defined as a disguised support structure. The bell tower currently exists, is a conforming structure, and was built without a fall zone.

The disguised support structure is a steeple 35 feet tall with a 6 foot cross on top. This total 41 feet height is the disguised support structure and only this 41 feet should be considered subject to the fall zone. We have prepared exhibit, sheet Z-1, which shows and demonstrates that the proposed addition is compliant. Please refer to ROW/Property Line Notes: No.3. The numbers and results demonstrate compliance.

Sincerely,

SHIVE-HATTERY, INC.

*William C. Thompson Jr.*

William C Thompson Jr.,  
Structural Engineer  
Missouri License #: E-22147





**ST. CHARLES  
TOWER**  
4 WEST DRIVE  
SUITE 110  
CHESTERFIELD, MO 63017

**SHIVE-HATTERY**  
ARCHITECTURE+ENGINEERING  
3025 Highland Plaza Suite 140 | Downers Grove, Illinois 60515  
630.360.7444 | fax 630.437.5600 | shive-hattery.com  
Iowa | Illinois | Missouri

PROJECT NO: 8126605

DRAWN BY: FB

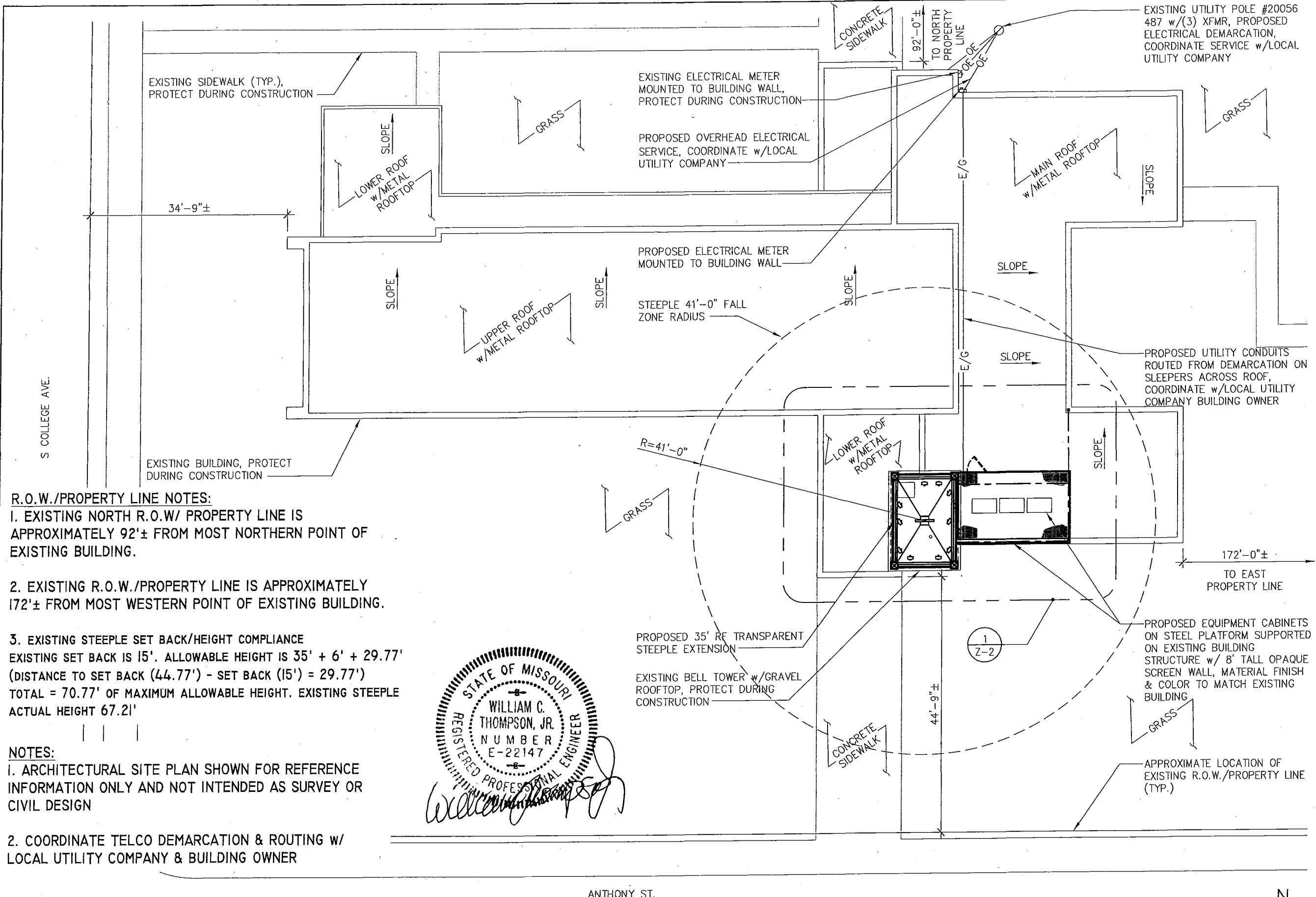
CHECKED BY: JMD

0 03/26/12 CLIENT REVIEW

1 04/03/12 CLIENT REVIEW

2 06/09/12 ZONING

3 06/13/12 ZONING CHANGES



# R.O.W./PROPERTY LINE NOTES:

1. EXISTING NORTH R.O.W/ PROPERTY LINE IS APPROXIMATELY 92'± FROM MOST NORTHERN POINT OF EXISTING BUILDING.

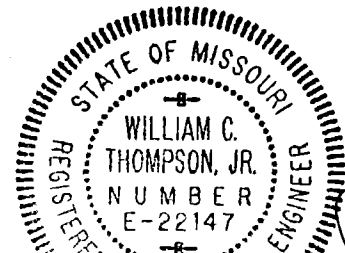
2. EXISTING R.O.W./PROPERTY LINE IS APPROXIMATELY 172'± FROM MOST WESTERN POINT OF EXISTING BUILDING.

3. EXISTING STEEPLE SET BACK/HEIGHT COMPLIANCE  
EXISTING SET BACK IS 15'. ALLOWABLE HEIGHT IS 35' + 6' + 29.77'  
(DISTANCE TO SET BACK (44.77') - SET BACK (15') = 29.77')  
TOTAL = 70.77' OF MAXIMUM ALLOWABLE HEIGHT. EXISTING STEEPLE ACTUAL HEIGHT 67.21'

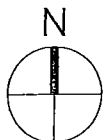
# NOTES:

1. ARCHITECTURAL SITE PLAN SHOWN FOR REFERENCE INFORMATION ONLY AND NOT INTENDED AS SURVEY OR CIVIL DESIGN

2. COORDINATE TELCO DEMARCATION & ROUTING W/ LOCAL UTILITY COMPANY & BUILDING OWNER



ANTHONY ST.



# 1 PARTIAL SITE ROOF PLAN

SCALE: 1/16" = 1'-0"

SHEET TITLE  
**PARTIAL SITE  
ROOF PLAN**

SHEET NUMBER

Z-1



**ST. CHARLES  
TOWER**  
4 WEST DRIVE  
SUITE 110  
CHESTERFIELD, MO 63017

**SHIVEHATTERY**  
ARCHITECTURE+ENGINEERING  
3035 Highland Pkwy Suite 140 | Downers Grove, Illinois 60515  
630.390.7444 | Fax 630.437.5800 | shivehattery.com  
Iowa | Illinois | Missouri

PROJECT NO. 8126605

DRAWN BY: FB

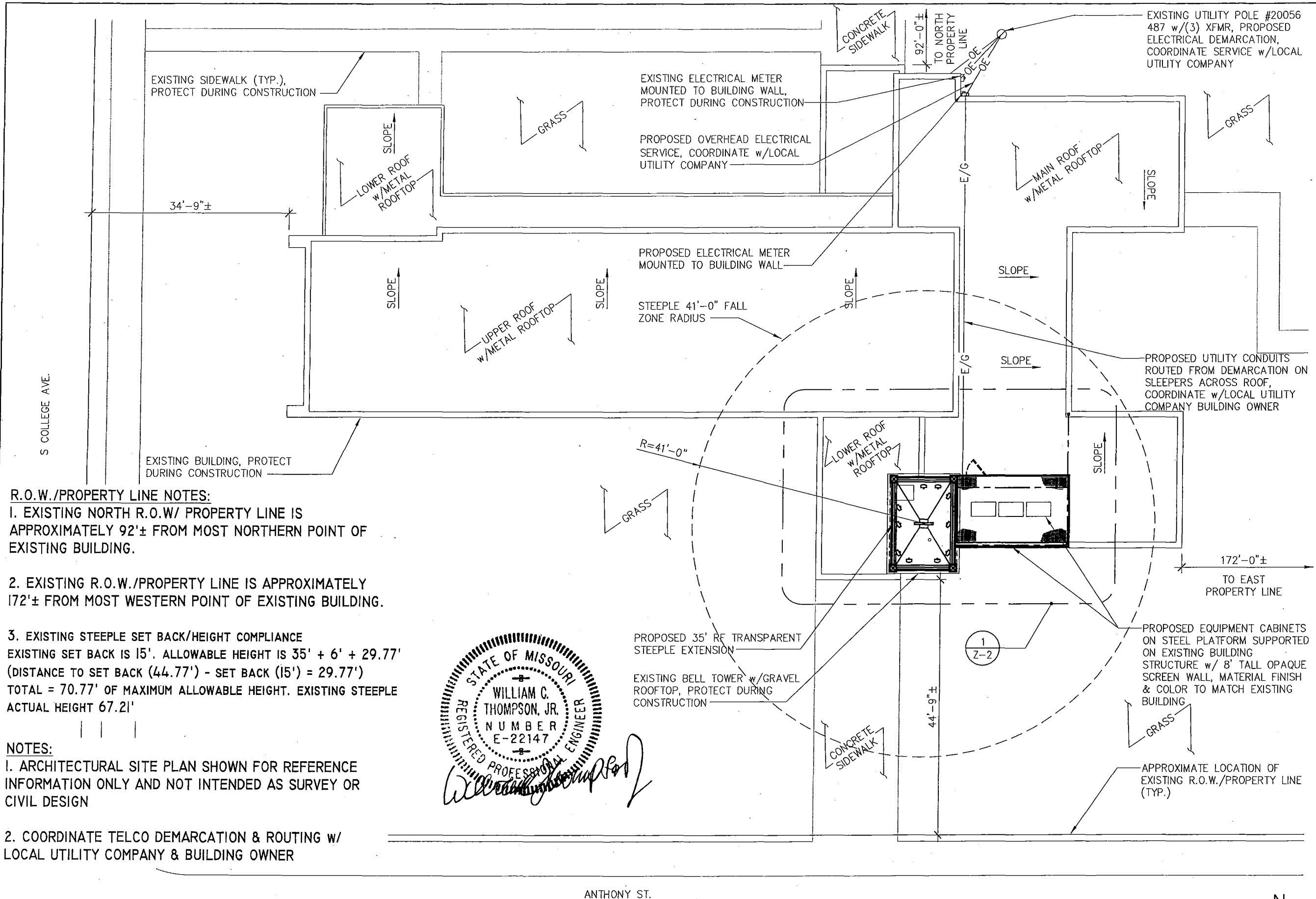
CHECKED BY: JMD

0 03/25/12 CLIENT REVIEW

1 04/03/12 CLIENT REVIEW

2 06/09/12 ZONING

3 06/13/12 ZONING CHANGES



# R.O.W./PROPERTY LINE NOTES:

1. EXISTING NORTH R.O.W/ PROPERTY LINE IS APPROXIMATELY 92'± FROM MOST NORTHERN POINT OF EXISTING BUILDING.

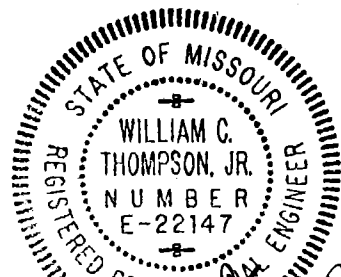
2. EXISTING R.O.W./PROPERTY LINE IS APPROXIMATELY 172'± FROM MOST WESTERN POINT OF EXISTING BUILDING.

3. EXISTING STEEPLE SET BACK/HEIGHT COMPLIANCE  
EXISTING SET BACK IS 15'. ALLOWABLE HEIGHT IS 35' + 6' + 29.77'  
(DISTANCE TO SET BACK (44.77') - SET BACK (15') = 29.77')  
TOTAL = 70.77' OF MAXIMUM ALLOWABLE HEIGHT. EXISTING STEEPLE ACTUAL HEIGHT 67.21'

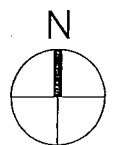
## NOTES:

1. ARCHITECTURAL SITE PLAN SHOWN FOR REFERENCE INFORMATION ONLY AND NOT INTENDED AS SURVEY OR CIVIL DESIGN

2. COORDINATE TELCO DEMARCATION & ROUTING W/ LOCAL UTILITY COMPANY & BUILDING OWNER



ANTHONY ST.



# 1 PARTIAL SITE ROOF PLAN

SCALE: 1/16" = 1'-0"

SHEET TITLE

PARTIAL SITE  
ROOF PLAN

SHEET NUMBER

Z-1

**ST. CHARLES  
TOWER**  
4 WEST DRIVE  
SUITE 110  
CHESTERFIELD, MO 63017

**SHIVE-HATTERY**  
ARCHITECTURE+ENGINEERING  
3025 Highland Plaza Suite 140 | Downers Grove, Illinois 60515  
630.390.7444 | fax 630.437.5800 | shive-hattery.com  
Iowa | Illinois | Missouri

PROJECT NO: 8126605

DRAWN BY: FB

CHECKED BY: JMD

0	03/26/12	CLIENT REVIEW
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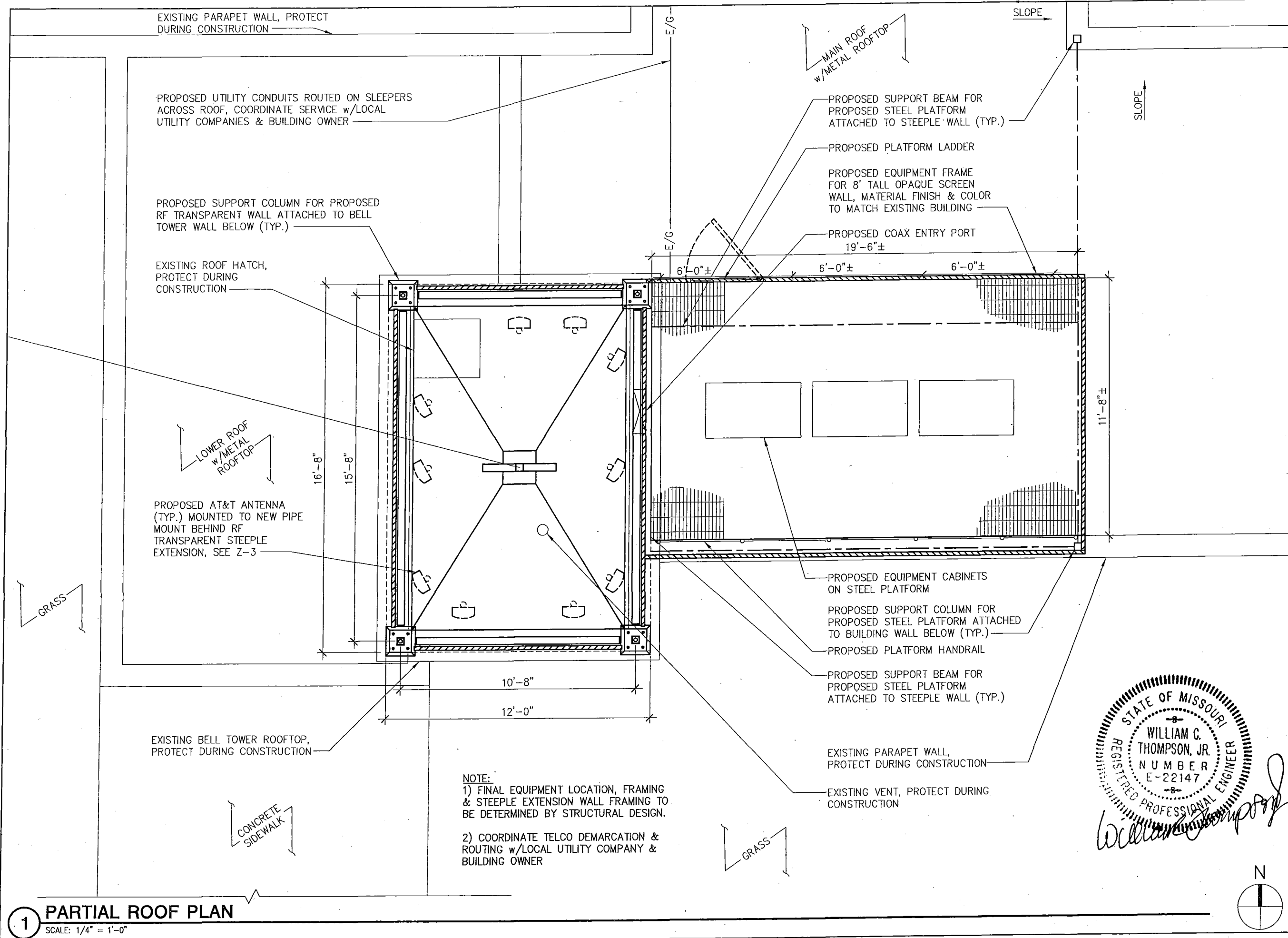
1	04/03/12	CLIENT REVIEW
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2	06/09/12	ZONING
3	06/13/12	ZONING CHANGES


CAMPUS LUTHERAN  
CHURCH  
SCT# MO-2012-06  
304 S COLLEGE AVE.  
COLUMBIA, MO 65201  
BOONE COUNTY  
CHURCH STEEPLE EXTENSION

SHEET TITLE  
PARTIAL ROOF  
PLAN

SHEET NUMBER  
**Z-2**



GENERAL NOTES:

SCT-01-NO-01-001

- 1. ELEVATION IS FOR REFERENCE PURPOSE ONLY. CONTRACTOR SHALL FIELD VERIFY EXISTING CONDITIONS.
- 2. CONTRACTOR SHALL PERFORM WORK DONE TO OR ON STRUCTURE IN ACCORDANCE WITH PROVIDED STRUCTURAL ANALYSIS SEPARATE FROM SHIVE-HATTERY ENGINEERED DOCUMENTS.
- 3. ANTENNAS, COAX, SUPPORTS, & ETC. SHALL BE INSTALLED PER MANUFACTURER RECOMMENDATIONS.

ST. CHARLES  
TOWER  
4 WEST DRIVE  
SUITE 110  
CHESTERFIELD, MO 63017

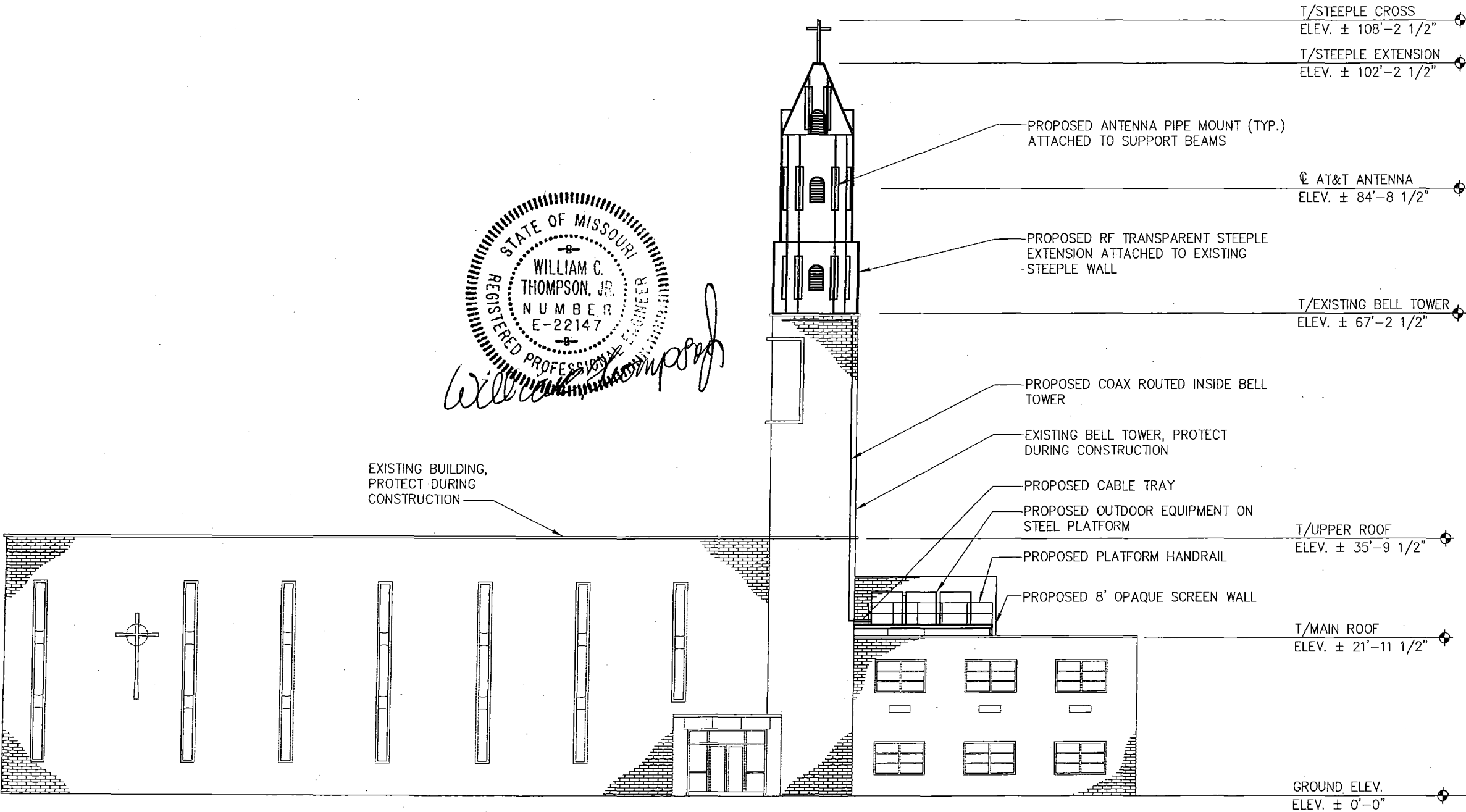
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PROJECT NO: 8126605	
DRAWN BY: FB	
CHECKED BY: JMD	
0	03/26/12 CLIENT REVIEW
1	04/03/12 CLIENT REVIEW
2	06/09/12 ZONING
3	06/13/12 ZONING CHANGES

CAMPUS LUTHERAN  
CHURCH  
SCT# MO-2012-06  
304 S COLLEGE AVE  
COLUMBIA, MO 65201  
BOONE COUNTY  
CHURCH STEEPLE EXTENSION

SHEET TITLE  
BUILDING  
ELEVATION

SHEET NUMBER  
Z-3



1 SOUTH ELEVATION (LOOKING NORTH)  
SCALE: 1/16" = 1'-0"



# CAMPUS LUTHERAN CHURCH

• SITE MO-2012-06 • 304 S COLLEGE COLUMBIA MO 65201



PROPOSED VIEW 1    LOOKING SOUTH EAST FROM APPROXIMATELY 200ft AWAY



EXISTING VIEW 1

LOCATION MAP



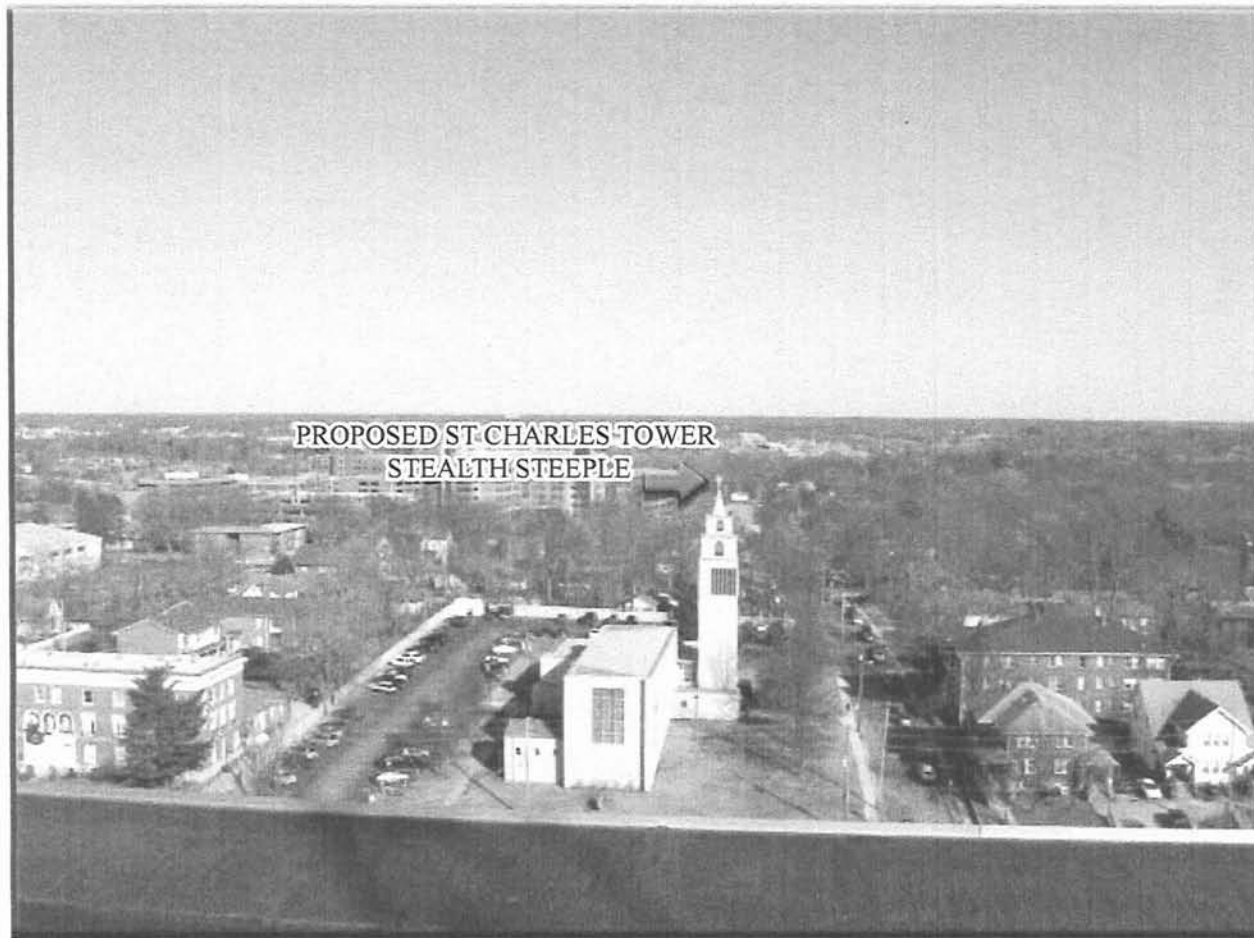
St Charles Tower has submitted plans to erect a stealth steeple.

CREATED BY:  
ECC PHOTOGRAPHY & DESIGN  
3420 WATSON RD ST LOUIS MO 63139  
(PHONE) 314.496.6452

ST CHARLES TOWER  
#4 WEST DRIVE SUITE 110  
CHESTERFIELD, MO 63017  
(PHONE) 636.530.9824  
(FAX) 636.530.9825

# CAMPUS LUTHERAN CHURCH

• SITE MO-2012-06 • 304 S COLLEGE COLUMBIA MO 65201



PROPOSED VIEW 2 LOOKING EAST FROM APPROXIMATELY 620ft AWAY



EXISTING VIEW 2

LOCATION MAP



St Charles Tower has submitted plans to erect a stealth steeple.

CREATED BY:  
ECC PHOTOGRAPHY & DESIGN  
3420 WATSON RD ST LOUIS MO 63139  
(PHONE) 314.496.6452

ST CHARLES TOWER  
#4 WEST DRIVE SUITE 110  
CHESTERFIELD, MO 63017  
(PHONE) 636.530.9824  
(FAX) 636.530.9825



**LETTER OF NOTICE TO PARTIES IN INTEREST**  
(PERTAINING TO PUBLIC HEARING BEFORE THE BOARD OF ADJUSTMENT)

DATE: June 25, 2012

TO: Whom it may concern

RE: **Dale Linneman, attorney for Campus Lutheran Church (owner/lessor) and St. Charles Tower, Inc. (lessee), for a conditional use permit to construct a 35 foot tall steeple and a 6 foot tall cross, which will extend the bell tower of the church to a maximum height not to exceed 108.5 feet and will house a stealth communications tower and antennas, and the related communications equipment shelter.**

Notice of public hearing before the Board of Adjustment of the City of Columbia, Missouri in relation to the following described property located in the City of Columbia, County of Boone, State of Missouri:

**Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Seven (7) of J. H. Guitar's Amended Plat of J. H. Guitar's Subdivision in the City of Columbia, Boone County, Missouri as shown by the plat thereof recorded in Plat Book 2, Page 39, in the Recorder of Deed's records for Boone County, Missouri, excepting therefrom that part, if any, conveyed to the State of Missouri acting by and through the State Highway Commission of Missouri, by instrument dated June 27, 1968 and recorded in Book 374, Page 905 in the Recorder of Deed's records for Boone County, Missouri**

and known as, or to be known as **304 S. College Avenue.**

Notice is hereby given that there will be a **public hearing** before the Board of Adjustment of the City of Columbia, Missouri at the hour of **7:00 p.m.** on **Tuesday**, the **10th** day of **July, 2012**, in the **City Council Chamber** on the **First Floor** of the **City Hall Building, 701 E. Broadway**, in Columbia, Missouri.


The person or persons requesting said hearing have listed you as a party in interest to an application or appeal to the Board of Adjustment relative to the above described property.

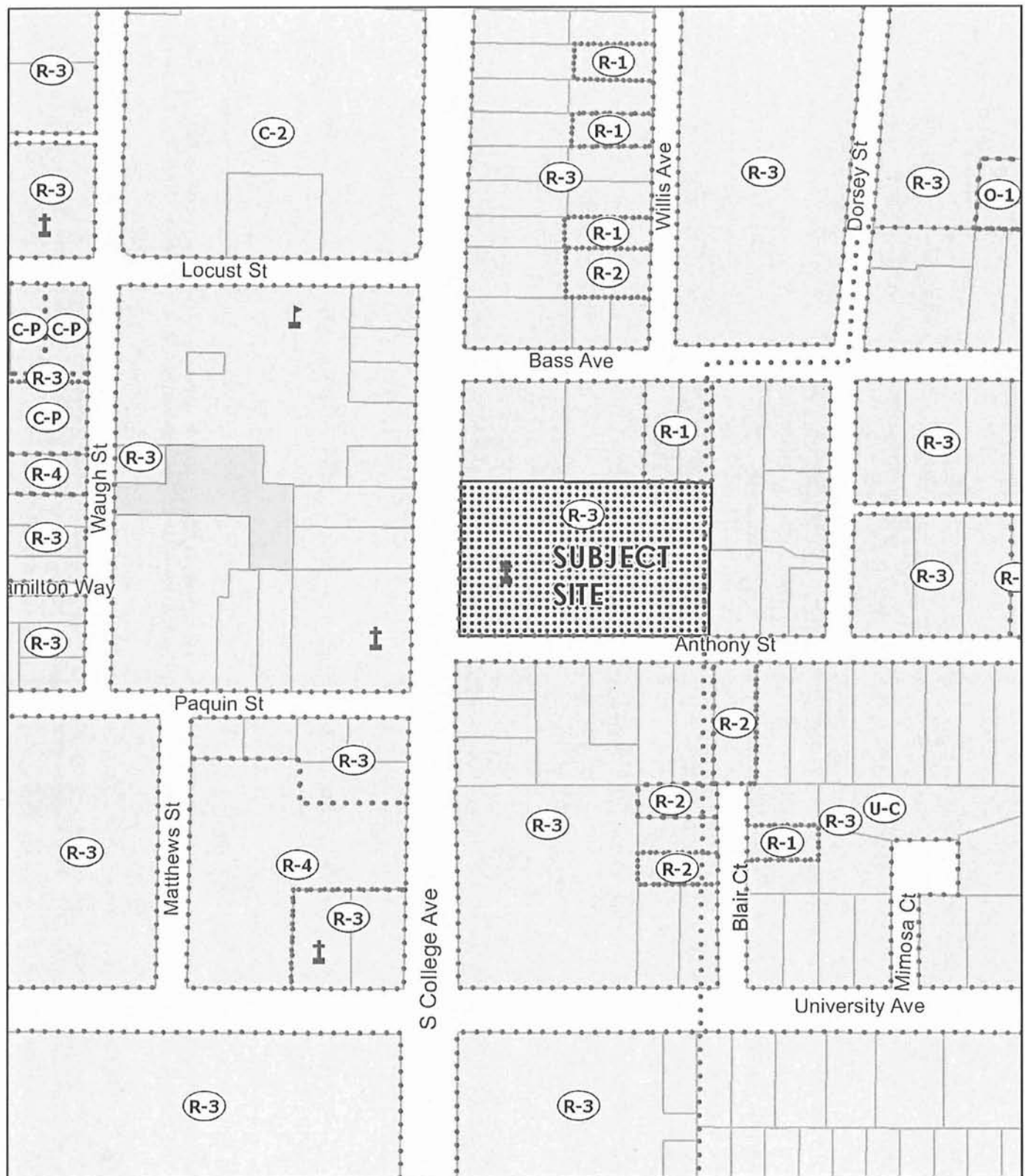
The filed copy of the Notice of Appeal or Notice of Application may be seen at the Office of the City Clerk, which is located on the second floor of City Hall, 701 E. Broadway, Columbia, Missouri. It can also be seen on City's website [www.GoColumbiaMo.com](http://www.GoColumbiaMo.com).

Notices of the public hearing are being published in a newspaper circulated within the City of Columbia, Missouri. The relative property is, or will be, posted with a notice pertaining to the public hearing.

The Board of Adjustment invites you to attend the Public Hearing and make known your interests in the appeal or application.

Signed: \_\_\_\_\_

  
Sheela Amin, City Clerk and Secretary to the Board of Adjustment  
Post Office Box 6015  
Columbia, Missouri 65205  
Telephone: (573) 874-7208  
E-mail: [cityclerk@gocolumbiamo.com](mailto:cityclerk@gocolumbiamo.com)



**Campus Lutheran Church**  
**Case 1840 - Board of Adjustment**



0 75 150 300  
Feet



PARCEL	OWNER	MAILING ADDRESS					
1740500100010001	CAMPUS LUTHERAN CHURCH	304 S COLLEGE AVENUE	COLUMBIA	MO	65201	0000	
1740500060120001	SHANKER RICHARD	PO BOX 10202	COLUMBIA	MO	65205	4003	
1740500130070001	CORPORATION OF THE PRE-	50 E NORTH TEMPLE	SALT LAKE CITY	UT	84150	3620	CHURCH OF JESUS CHRIST
1740500060150001	HARDER RAYMOND A &	1806 BLUFF POINTE DR	COLUMBIA	MO	65201	0000	
1740500130060001	CHURCH OF JESUS CHRIST OF	50 EAST NORTH TEMPLE	SALT LAKE CITY	UT	84150	0000	
1740500110010001	DRAGE JOHN J & AMY L	1317 ANTHONY ST	COLUMBIA	MO	65201	5801	
1740500130080001	ZM-2 PROPERTIES LLC	2214 RIDGEFIELD RD	COLUMBIA	MO	65203		
1740500130090001	ZM-2 PROPERTIES LLC	2214 RIDGEFIELD RD	COLUMBIA	MO	65203	0000	
1740500110120101	L-K-M PROPERTIES LLC	724 LOGWOOD LANE	COLUMBIA	MO	65203	0000	C/O MELCHIOR J ZELENAK
1740500120010001	MRZ PROPERTIES LLC	724 LOGWOOD LN	COLUMBIA	MO	65203	0000	
1740500110120001	L-Z PROPERTIES LLC	724 W LOGWOOD LN	COLUMBIA	MO	65203	8520	C/O MELCHIOR J ZELENAK
1740500050070001	WARNKEN PROPERTIES IV LLC	2509 VISTAVIEW TER	COLUMBIA	MO	65203	5206	
1740500050060001	DCJ ENTERPRISES LLC	4904 COUNTY ROAD 343	FULTON	MO	65251	5213	
1740500050090001	KASSING CHRISTOPHER D &	1316 ANTHONY ST	COLUMBIA	MO	65201	5802	
1740500050080001	GINGER C LLC	709 SHERWOOD	JEFFERSON CITY	MO	65109		
1740500050100001	WARNKEN PROPERTIES IV LLC	2509 VISTAVIEW TER	COLUMBIA	MO	65203	5206	
1740500110080001	RAINS TIMON J	2001 N MAPLEVIEW CT	COLUMBIA	MO	65202	9565	
1740500310010001	ALTIS KLIFTON R TRUST	2704 LACEWOOD DR	COLUMBIA	MO	65201	0000	
1740500110090001	THOMAS MATTHEW E & DENISE	5220 N LIDDELL LANE	COLUMBIA	MO	65202	0000	
1740500110110001	L-K-Z PROPERTIES LLC	724 W LOGWOOD LN	COLUMBIA	MO	65203	8520	C/O MELCHIOR ZELENAK
1740500360010001	POLITTE LENARD L	1405 S CEDAR GROVE BLVD	COLUMBIA	MO	65201	8708	
1740500090020001	SAPP LESLEY J & DAVID P &	1308 BASS AVE	COLUMBIA	MO	65201	5810	
1740500110060001	ROTH DUDLEY KENT TRUSTEE	10201 E HIGHWAY WW	COLUMBIA	MO	65201	8726	
1740500060110001	NANCY E TAYLOR PROPERTIES	5010 BRAZOS DR	COLUMBIA	MO	65203	0000	% ANN PAYNE CLEEK
1740500090010001	BOONE INVESTMENT	1011 DANFORTH DRIVE	COLUMBIA	MO	65201	0000	
1740500090050001	COLUMBIA ALUMNI CHAPTER OF	3105 MORTON LN	SAINT JOSEPH	MO	64506	0000	C/O ERIC POGGEMILLER
1740500110030001	COLUMBIA SCHOOL BOARD				00000	0000	
1740500110020001	NANCY E TAYLOR PROPERTIES	5010 BRAZOS DR	COLUMBIA	MO	65203	0000	% ANN PAYNE CLEEK
1740500060140001	LAHF INVESTMENTS LLC	1775 W HIGH POINT LN	COLUMBIA	MO	65203	0000	
1740500060130001	FELDHAUS TONI E & BETTY L	3652 CLEVELAND AVE	ST LOUIS	MO	63110	4008	C/O TONI FELDHAUS-INGLEY

**AGENDA REPORT  
BOARD OF ADJUSTMENT  
July 10, 2012**

**REQUEST FOR A CONDITIONAL USE PERMIT**

**Case #1840**

**Prepared by:  
Department of Planning and Development**

**Applicant:** Dale Linneman, agent for Campus Lutheran Church and St. Charles Tower.

**Location:** 304 South College Avenue

**Property Size:** Subject site contains approximately 1.9 acres, is zoned R-3 (Medium Density Multiple-family Dwelling), and identified as parcel number 17-405-00-10-001-00.01

**Proposed Uses:** Construction of a 41-foot tall "stealth" steeple extension on top of the existing Campus Lutheran Church bell tower resulting in a total tower height not to exceed 108'-6".

**Existing Conditions:**

<b>Orientation from Site</b>	<b>Zoning District</b>	<b>Land Use</b>
North	City R-1 & R-3	Fraternity, multi-family
South	City R-3	Single-family dwellings
East	City R-3	Single-family dwellings
West	City R-3	Church & multi-family dwellings

**Discussion:**

This application requests approval to construct a 41-foot steeple extension on top of the existing bell tower at the Campus Lutheran Church. The extension would accommodate a minimum of two cellular carriers and would be classified as a "stealth" telecommunication facility. This application has several unique aspects that have not been encountered in the recent past as relating to the approval of cellular towers in accordance with the provision of Section 29-21.3 of the Code.

The first unique aspect of this application is that the proposed construction of the "stealth" steeple will extend the existing bell tower of the church. Typically the extension of structures beyond the maximum height permitted in the underlying district would

require a height variance from the Board of Adjustment. In this case, a conditional use is required because the steeple extension is to be used for telecommunication purposes. Allowing greater height for proposed cellular towers is something that the Board can approve as part of the conditional use process, therefore; no specific variance is required.

The proposed height of the existing bell tower does not exceed that allow by ordinance, therefore; the structure is conforming and can be added onto with the proposed "stealth" steeple subject to Board approval. The proposed maximum height of 108'-6" is not in staff's opinion excessive and would result in creating a proportioned bell tower that enhances not detracts from the church's architecture (see architectural rendering).

A second unique aspect to this proposal deals with what the fall zone distance for the telecommunication tower should be. Section 29-21.3(f)(6)(c) indicates that all towers shall be separated from any off-site residential structure or the boundary of any residentially-zoned property, a distance **equal to the height of the tower**.

This provision does not say at what location this measurement is to start at. Typically, most applications for cellular towers consist of free-standing monopoles – not an existing structure being added onto for the purposes of "stealth" facilities. As such, staff has always interpreted that the fall zone for telecommunication towers as being measured from the base of the tower outward.

In this particular instance, however, the existing bell tower does not have a fall zone associated with it. Therefore, staff believes it is reasonable to consider the existing bell tower as not being part of the telecommunication tower, but rather only the steeple extension as being the "tower" as defined in Section 29-21.3(f)(6)(c).

The applicant has supplied supporting documentation to provide justification for this particular interpretation. Staff has reviewed this justification and finds it reasonable. Reducing the fall zone to only that portion of the steeple extension, the 41-feet proposed, is in staff's opinion reasonable and will not compromise the public health, safety or welfare.

A third unique characteristic of this application deals with the placement of the equipment cabinets associated with the future telecommunication antennas. Typically the equipment cabinets are located on the ground adjacent to the proposed tower. Being located on the ground with direct visual and personal access screening and security are necessary and would be required to be in compliance with Section 29-21.3(f)(6)(b) of the Code.

However, in this instance the equipment will be roof mounted on a portion of the existing church building located to the east of the bell tower. The roof upon which the cabinets will be located is not accessible to the public and is elevated approximately 21-feet

above existing grade. The existing roof does not provide screening sufficient to meet that required by Section 29-21.3(f)(6)(b), however, the applicant's site plan (attached) shows that compliant screening will be installed to meet these standards.

Staff's review of the submitted application finds that all required application materials have been provided. The following discussion focuses on the application contents.

1. The applicant is requesting that the proposed tower height exceed that allowed within the R-3 district which restricts building/structure height to 35-feet except that additional height for public and semi-public buildings may exceed the maximum provided 1-foot of additional setback for each foot of additional height is provided from all property lines. As noted above, the existing bell tower is in compliance with these setback requirements. The request for additional height therefore deals only with the steeple extension.

Section 29.21.3(f)(5) states that **"height of the tower shall be governed by the underlying zoning district; however, in rendering its decision ..... the Board of Adjustment may allow an increase in height as it deems appropriate"**.

The applicant is seeking approval of an approximate 41-foot height increase to accommodate the stealth steeple.

2. The applicant has submitted documentation indicating diligent attempts have been made at co-locating the proposed antennas on other structures (buildings and existing towers) in lieu of proposing this steeple extension (see attached letter). The justification, in staff's opinion, meets the requirements of 29-21.3(e)(1)(c).
3. The proposed steeple extension will accommodate multiple carriers and antenna thereby reducing the need for additional future towers to serve the subject area.
4. The submitted site plan for the proposed facilities is in compliance with the requirements of Sections 29-21.3(e)(1)(g) and 29-21.3(f)(6)(b) relating to the location of site improvements, parking, and screening necessary to support the facility operations. Parking will be provided in the existing church parking lot. (See attached plan sheets)

### **Recommendation:**

**Approval** of the requested conditional use to allow the existing Campus Lutheran Church bell tower to be improved with a 41-foot "stealth" steeple extension resulting in a cellular communication tower no greater than 108'-6" in height.